

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Establishment – P.R. Department – Smt.K.Narasamma, Deputy Chief Executive Officer (Retired) – Sanction of interest on the delayed payment of retirement benefits based on the orders of A.P.A.T in O.A.No. 5979/2006 – Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (ESST.VI) DEPARTMENT

G.O.Rt.No. 1038

Dated:06.07.2011

Read the following:

1. From CEO.,ZPP., Kurnool, Lr.Rc.No.E8/3458/2006, dt. 22.02.2010
2. From CPR&RE, Hyd., Lr.No. 1901/CPR&RE/C1/2010 dt.1.4.2010.
3. Govt. Memo.No.8457/Esst.VI/A2/2010-1, dt.28.5.2010.
4. From CPR&RE, Hyd., Lr.No. 1901/CPR&RE/C1/2010, dt 1.4.2011.

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ORDER:

The Commissioner of Panchayat Raj and Rural Employment, Hyderabad in his letter 2nd read above has reported that Smt. K.Narasamma, Deputy Chief Executive Officer was retired from service voluntarily on 31.05.2003 and submitted her pension proposals in the month of July,2003. Due to prolonged correspondence between the Chief Executive Officer and the Commissioner of Panchayat Raj and Rural Employment, Government and also the Accountant General, A.P., Hyderabad the settlement of pension was delayed and the same was sanctioned to the individual in the month of November,2005 and the pensionary benefits were released to her on 15.12.2005 as per PPO-P13/1/N-930/SP.789/2004-12/715, dt. 16.11.2005 of the Accountant General, A.P., Hyderabad. The delay occurred solely due to administrative reasons.

2. Smt. K.Narasamma, Dy.CEO (Retd) has filed an O.A.No. 5979/2006 in the Andhra Pradesh Administrative Tribunal for delay in payment of her pensionary benefits. The Hon'ble Andhra Pradesh Administrative Tribunal had issued orders on 8.12.2009 as follows:

"It is an admitted fact that the retirement benefits were paid to the applicant only after (2) years and (5) months from the date of her retirement. Admitted the delay has occurred on account of the administrative reasons of the respondents and not on account of the applicant. So having regard to the above circumstances as the pension was paid with delay, which is to be attributed to the respondents only.

The applicant is entitled for interest @ 12% p.a. from the date of her retirement till the date of actual payment of retirement benefits.

The respondents are directed to pay the interest @ 12% p.a. from the date on which the retirement benefits accrued to the applicant till the date of actual payment to the applicant and they are further directed to pay the interest within a period of 8 weeks from the date of a copy of this order".

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3. The Chief Executive Officer, Kurnool has filed a W.P.No.26973/2010 in A.P. High Court against the orders dt.08.12.2009 of A.P.A.T. in O.A.No. 5979/2006 filed by Smt. K.Narasamma, Dy. C.E.O (Retd) as per the directions of Government in the Memo 3rd read above.

4. The Hon'ble High Court in its orders dt. 01.11.2010 while dismissing the Writ Petition opined that the Tribunal while taking into consideration the facts and circumstances of the case has rightly allowed the O.A. and they do not see any ground to interfere with the same.

5. Government, after careful examination of the matter, here by permit the Commissioner of Panchayat Raj and Rural Employment, Hyderabad to calculate and pay the interest @ 12% p.a. from the date on which the retirement benefits accrued to the applicant till the date of actual payment to Smt. K.Narasamma, Retd. Dy.C.E.O as per orders dt.18.12.2009 in O.A.No.5979/2006 of Andhra Pradesh Administrative Tribunal. She is also requested to take necessary action to recover the amount of interest paid on pension from the Pension Sanctioning Authority and the concerned officers responsible for delay.

6. The Commissioner, Panchayat Raj and Rural Employment, Hyderabad shall take further necessary action.

7. This order issues with the concurrence of Finance (Pen.I) Department vide their U.O.No.10057/88/A/Pen.I/11, dt.30.04.2011.

(BY ORDER AND IN THE NAME OF THE GOVERNMENT OF ANDHRA PRADESH)

Dr.RAJIV SHARMA
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner, Panchayat Raj and Rural Employment, Hyderabad

Copy to:

The individual thro' C.P.R. & R.E., Hyderabad.

The Chief Executive Officer, Z.P., Kurnool

The Accountant General, A.P., Hyderabad.

The Pay and Accounts Officer, Hyderabad

The District Treasury Officer, Kurnool

Finance (Pen.I) Department

The Government Pleader for (PR), A.P.A.T., Hyderabad

SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER